

1 HONORABLE RONALD B. LEIGHTON  
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13 UNITED STATES DISTRICT COURT  
14 WESTERN DISTRICT OF WASHINGTON  
15 AT TACOMA  
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19 BRADLEY C. SMITH, a single man,  
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21 Plaintiff,  
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23 v.  
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26 GRAYS HARBOR COUNTY, a municipality;  
27 GRAYS HARBOR DRUG TASK FORCE;  
28 MICHAEL J. WHELAN, in his individual and  
1 official capacities; DAVID A. PIMENTEL, in  
2 his individual and official capacities; CHRIS  
3 RATHBUN, in his individual and official  
4 capacities; KEITH PETERSON, in his  
5 individual and official capacities; GARY  
6 PARFITT, in his individual and official  
7 capacities; et al,  
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10 Defendants.  
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Case No. C05-5090RBL

ORDER DENYING DEFENDANTS'  
MOTION TO COMPEL

This matter comes before the Court on the Defendants' Motion to Compel [Dkt. #39]. Defendants seek answers and responses to Defendants' Third Interrogatories and Requests For Production to Plaintiff Bradley C. Smith pursuant to Fed. R. Civ. P. 37(a). Specifically, Defendants seek discovery regarding any evidence supporting Plaintiff's claim that personal property was damaged by law enforcement officers.

Based upon the Declaration of Harold Karlsvik Re: Motion to Compel [Dkt. #45], Plaintiff has no evidence of damage to personal property beyond his own testimony and that of Ladena Freedman.

1 Defendants have already obtained the testimony of Freeman through deposition. Plaintiff further states that  
2 he has no additional receipts, photographs, video tapes, or other items evidencing damage to his personal  
3 property.  
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5 It is therefore ORDERED that Defendants' Motion to Compel [Dkt. #39] is DENIED.  
6 Defendants' request for sanctions [Dkt. #43] is also DENIED.  
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8 DATED this 17th day of January, 2006  
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12 RONALD B. LEIGHTON  
13 UNITED STATES DISTRICT JUDGE  
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